

ASSOCIATION FOR MAXIMUM SERVICE TELEVISION, INC.



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Via E-Mail and Mail

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David L. Donovan
President

Ms. Jackalyne Pfannensteil
Vice Chairman
California Energy Commission
Media & Public Communications Office
1516 Ninth Street, MS -29
Sacramento, CA 95814-55112

Dear Vice Chairman Pfannensteil:

On behalf of the Association for Maximum Service Television, Inc. (MSTV), a non-profit trade association of local broadcast television stations committed to achieving and maintaining the highest technical quality of free over-the air local broadcast system, I am writing to express our deep concern over proposed amendments to the appliance efficiency regulations (Docket No. 06-AAER-1) dealing with the digital television adaptors, and respectfully request that the Commission reconsider its decision and eliminate this requirement or further delay its implementation to ensure that all Californians can continue to receive over-the-air television programming after the digital transition.

Formed in 1956, MSTV has endeavored to ensure that the American public receives the highest quality, interference free, over-the-air local television signals. For the past decade, we have been the leading advocate for advanced over-the-air digital television in the United States.

Consistent with these efforts, MSTV has funded the development of low cost digital to analog set-top boxes by two major consumer electronics' manufacturers. MSTV's efforts are intended to ensure that television viewers can continue to receive the highest quality of over-the-air programming after the transition to digital television on their existing analog television sets. This is especially important for minority and lower income households that rely more heavily on over-the-air reception.

As part of the Budget Reconciliation package enacted earlier this year, Congress allocated up to \$1.5 billion to help subsidize the costs of a digital to analog converter box. This converter box was viewed as one of the key components to achieving a successful

shift from analog to digital broadcasting. A comprehensive federal program has been established to make sure consumers are able to secure coupons necessary to obtain these boxes. Administered by the Department of Commerce, this national subsidy is premised on the ability of television set manufacturers to produce and sell a digital to analog converter box at a relatively low price throughout the United States. These converter boxes are being developed and will be subsidized according to a specific timetable.

MSTV is concerned that the California Energy Commission requirement that such digital television adaptors or set-top boxes must meet an 8-watt active power and a 1-watt standby power standard could have adverse consequences for the public. It may result in establishing a different, perhaps more expensive, converter box just for California residents. As a result, California viewers may not receive the full benefits of the federal program. In turn, this may have the unintended consequence of delaying the availability of these converter boxes to the citizens of California. Consumer acceptance is the key to the digital transition, and any delay or impediment to the roll out of digital to analog converter boxes could slow down the digital transition.

Today, television broadcasters operate both analog and digital television transmitters pursuant to licenses issued by the Federal Communications Commission. The objective of this policy is to allow consumers to shift to digital reception while not disenfranchising the millions of consumers that still watch analog television sets. Ultimately, the broadcaster will turn off its analog transmitter and operate solely in digital. However, the timing of this transition is in part a function of consumer acceptance. The sooner consumers have access to a digital television set or converter box the sooner television stations can make the transition. Accordingly, any delay in the DTV transition resulting from the lack of access to an inexpensive digital to analog converter box, means that California broadcasters may not be able to turn off their analog transmitters as quickly as they might like.

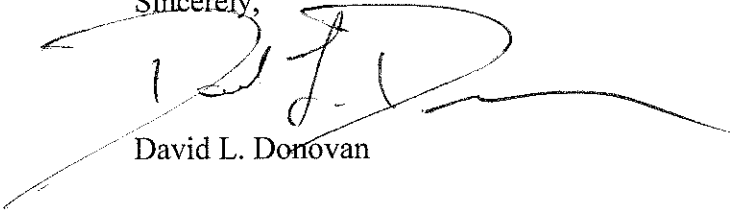
From a power consumption standpoint, analog television stations in California use approximately 250 million kilowatt hours per year. A timely transition to digital television means that broadcasters can turn off these analog transmitters, thereby saving a significant amount of power for the Citizens of California. This savings would more than outweigh the marginal additional power consumption resulting from the use of a digital to analog converter box.

Moreover, building a reliable digital television adaptor is a complex task. Adapters must have adequate performance to receive and process the entire 19 Mbps data stream transmitted by the broadcast DTV station and converted to an analog format. Because of price limitations, adopting such requirements may force manufacturers to offer lower performing adapters and less featured products. This requirement may also mean that over-the-air viewers would not be eligible for the federal subsidy because this requirement goes beyond what is statutorily permitted under the subsidy program.

We urge that the Commission reconsider this requirement and ensure that all Californians can continue to receive over-the-air television programming after the digital transition.

On balance, the power savings associated with timely transition to digital will outweigh any additional power consumption caused by the digital to analog converter boxes.

Sincerely,



David L. Donovan